

Appl. No. : 09/827,772  
Filed : April 6, 2001

## REMARKS

This paper amends Claims 17 and 23. Claims 1-16, 18-22 and 24-32 are unchanged. Claims 1-32 are pending. Reconsideration and allowance of the claims is respectfully requested. The amendments for Claim 23 and for the second element of Claim 17 are for clarification, are not meant to avoid any prior art and are not narrowing.

### Drawings

The Office Action stated that formal drawings will be required when the application is allowed. Formal drawings are provided herewith.

### Discussion of Claim Rejection under 35 USC § 112, 2<sup>nd</sup> ¶

Claims 17 and 23 were rejected under 35 U.S.C. § 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Applicant has amended Claims 17 and 23 to correct the indefiniteness.

### Discussion of Claim Rejection under 35 USC § 102(e)

Claims 17-22 and 29-32 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Jain et al. (U.S. Patent No. 6,567,980).

Applicant's amended Claim 17 recites in part: "providing video elements from a video application for incorporation in a content owner network site". The Jain reference does not disclose this feature. The Office Action recites Figure 1, column 4, lines 5-18, and column 5, line 18-60 of Jain as disclosing this feature. Column 5, lines 18-60 describe encoder schemes for encoding the video. Column 4, lines 5-18 of Jain describe storing the encoded video in the *content server* (140). The *content server* of Jain stores and serves encoded video. In certain embodiments of Applicant's application, the *content distribution network* (240, Figures 2 and 3) performs at least this function and may include a *video server* (not shown). In certain embodiments, the content owner network site does not store and serve the encoded video, but

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rather, generates and serves the web pages (332, Figure 3) including the provided video elements from the video application.

Claim 17 further recites in part: “wherein the video content is delivered from a remote location to the location where the video content is encoded and indexed, and wherein the content owner network site is also remote from the location where the video content is encoded and indexed”. Applicant respectfully submits that the Jain reference does not disclose these features. The Office Action states that “the client computer / network mass storage device visible to the client computer” is equivalent to “the content owner network site”. However, “the client computer / the network mass storage device visible to the client computer” stores and displays the encoded video as the end user/client/consumer of the method, and is not the content owner network site. As discussed above, the content owner network site does not store and serve the encoded video. The Office Action further recites that Figure 1; column 3, line 50 to column 4, line 9; and column 13, lines 4-11 and 21-28 of Jain disclose that the content owner network site is remote from the location where the video content is encoded and indexed, which the Office Action states is system 100 of Jain. Figure 1 and column 3, line 50 to column 4, line 9 show and describe the components of the system (100). One of the components of the system (100) is content server (140) (which is described in column 13, lines 4-11 and 21-28 of Jain) and therefore, cannot be remote from the system (100). Furthermore, as discussed above, the content server (140) of Jain serves the encoded video. In contrast, Applicant’s content owner network site does not serve the encoded video.

#### Dependent Claims

Claims 18-22 and 29-32 are dependent either directly or indirectly on the above-discussed independent Claim 17. Applicant respectfully submits that pursuant to 35 U.S.C. § 112, ¶4, the dependent claims incorporate by reference all the limitations of the claim to which they refer and include their own patentable features, and are therefore in condition for allowance. Therefore, Applicant respectfully requests the withdrawal of all claim rejections and prompt allowance of the claims.

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Allowed Claims

Claims 1-16 and 23-28 are allowable as stated in the Office Action mailed February 22, 2006.

Conclusion

In view of the foregoing remarks, Applicant respectfully submits that the claims of the above-identified application are in condition for allowance. However, if the Examiner finds any impediment to allowing all claims that can be resolved by telephone, the Examiner is respectfully requested to call the undersigned.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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